

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	The Peaceful Pill Handbook
Other Known Title:	Not Stated
Format:	Book
Authors:	Dr Philip Nitschke, Dr Fiona Stewart
Producer/Publisher:	Exit International US Ltd
Country of Origin:	USA
Language:	English
Applicant:	Philip Nitschke
Distributor:	Not Applicable

Classification:	Objectionable.
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Descriptive Note:	Not Applicable
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Display Conditions:	Not Applicable
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Date of entry in Register:	08 June 2007
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Date of direction to issue a label:	Not Applicable
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OFLC No:	700240
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Excisions:	Not Applicable.
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Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The book *The Peaceful Pill Handbook* is classified as:
Objectionable.

This classification is based on the extent and degree to which the book promotes and encourages criminal acts in terms of s3(3)(d) of the Films, Videos, and Publications Act 1993.

The Peaceful Pill Handbook is a paperback book consisting of 214 pages plus soft card covers. It is mostly text with some numbered diagrams and black and white photographs. The book is a reference book, aimed at the terminally ill, and divided into 15 chapters detailing and comparing various methods of suicide. Many of these chapters deal with the "infliction of serious physical harm" in terms of s3(3)(a)(i). They are written in a manner that gives factual advice on how to structure one's activities to be lawful, and that supports the advocacy of law reform. Although reasonably instructional in tone, they do not instruct in the commission of criminal activity. In the hands of its intended readers, these parts of the book are unlikely to be injurious to the public good.

Other parts of the book go beyond advocacy and advice and give instruction in how to get away with committing crime, thereby promoting or encouraging criminal acts in terms of s3(3)(d). Specifically, these parts of the book instruct in how to smuggle Nembutal into the country without detection, how to manufacture drugs in contravention of the Misuse of Drugs Act 1975, how to manufacture and use drugs in violation of the Agricultural Compounds and Veterinary Medicines Act 1997 and the Hazardous Substances and New Organisms Act 1996, and how to conceal one's involvement with the commission of a suicide, exposing one to prosecution under ss113, 116 and 179 of the Crimes Act 1961. The delivery of most of this information by means of first-person testimonials, and the tone of advocacy throughout the publication contributes to the promotion and encouragement of the criminal activities it describes in such detail.

The public good is unlikely to be injured by those parts of the book that advocate law reform and offer advice. However, when these parts of the book are considered with the parts that give instruction on how to commit and conceal criminal activity, it becomes apparent that the book's availability is likely to injure the public good. Likely injury to the public good lies in the fact that, while the authors do not directly incite or counsel readers to commit suicide by the means described, the detailed and practical information is presented in a manner which may reasonably be expected to be acted upon by some readers. The publication's promotion and encouragement of criminal activities in the pursuit of a peaceful and dignified death increases the likelihood that those crimes will be committed by some readers.

The New Zealand Bill of Rights Act 1990 has been balanced against the criteria as discussed in s3(3)(d) and s3(4) of the FVPC Act. An objectionable classification in this instance is a significant limitation on the rights and freedoms outlined in the Bill of Rights although this is considered both reasonable and demonstrably justified in accordance with s5 and 6 of the NZBR Act and reflects the concern of "a free and democratic society" to limit the availability of publications that promote or encourage criminal acts.